### 3.11 CULTURAL AND HISTORICAL RESOURCES

#### 3.11.1 Affected Environment

Historical resources are the tangible, physical remains of past human activity. The age of these resources in the region ranges from thousands of years to recent times. The upper limit for classification as Ahistorical@is generally at least 50 years old. The resources themselves may be sites, buildings, structures, districts or objects. Prehistoric archaeological sites may include habitation areas, lithic scatters, petroglyphs, hunting blinds, cairns, and burial locations. Historic remains represent the activities of Euroamericans in the region for the last two centuries. These remains include buildings, structures, and sites associated with agriculture and settlement (e.g., homesteads, irrigation systems, fences, corrals), mining (e.g., adits, tailings, mills, camps), logging (e.g., mills, spur railroads, camps and equipment) and the development of regional transportation (e.g., roads, railroads and their associated construction camps and maintenance facilities).

In addition, the proposed alignment and facilities cross lands previously occupied and used by numerous Indian groups now represented by the following tribal organizations: the Tulalip Tribes, the Suquamish Tribe, the Duwamish Tribe, the Snoqualmie Tribe, the Muckleshoot Tribe, the Confederated Tribes of the Colville Reservation, the Wanapum Tribe, the Confederated Tribes and Bands of the Yakama Indian Reservation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation, and the Nez Perce Tribe. Members of these tribal organizations continue to use these lands and have an interest in preserving traditional values and cultural resources. Particularly important are cemeteries and isolated interments, sacred land forms, ceremonial sites, rock art, cairns, certain animal and plant resources, and locations prominent in mythology and tribal history. Indian groups that cede aboriginal lands through treaties signed with the United States Government have Areserved rights. These include rights specified in the treaties such as the rights to fish at Ausual and accustomed grounds and stations, as well as rights not taken away by treaties. Only an act of Congress can take away such rights. Federal agencies must conduct government-to-government consultation with federally recognized tribes when a project has the potential to impact treaty reserved rights.

### 3.11.1.1 State and Federal Regulations

Washington state laws addressing cultural resources include the Archaeological Sites and Resources Act (RCW 27.53) and the Indian Graves and Records Act (RCW 27.44). The first Act declares the state=s interest in the conservation, preservation, and protection of Washington=s archaeological resources and prohibits disturbance or excavation of historic or prehistoric archaeological resources on state or private land without a permit from the state. The second Act prohibits knowingly disturbing a Native American or historic grave.

The federal government has, through numerous laws, regulations, and executive orders, developed and supported a national policy of protection and management of historic properties. The

proposal has been identified as an undertaking under 36 CFR Part 800.2(0) because it crosses federal land, requires federal permits and approvals, and therefore is subject to the authority of historic preservation law. The following legislation must be met for areas over which the federal government has authority:

The National Historic Preservation Act (NHPA) of 1966 as amended in 1992 (P.L. 102-575; 16 U.S.C. 470) established the federal governments policy and programs on historic preservation, including the establishment of the National Register of Historic Places (National Register). Heritage resources (i.e., sites, buildings, structures, districts, or objects) that are listed or eligible for the National Register are called historic properties. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings, including permitting and licensing, on historic properties. Title 36, CFR 60.4 lists the criteria used to evaluate heritage resources for National Register eligibility. The Section 106 review process consists of four steps: identification and evaluation of historic properties, assessment of effects of the undertaking, consultation to resolve adverse effects, and comment by the Advisory Council. The NHPA also provides for consultation with any Indian Tribe that attaches religious or cultural significance to an historic property that may be affected by a project (NHPA Section 101 [d] [6] [B]).

This legislation has guided the studies undertaken by OPL to date. The proposal is currently in the identification phase; evaluation of the historic resources identified has not begun. Indian tribes have been contacted by OPL about traditional cultural properties and other issues of concern. Federal agencies have also initiated government-to-government consultation with tribes that may have historic property or other issues of concern. Comments have been received from a number of tribal organizations and consultation is ongoing (see Table 3.11-1).

The National Environmental Policy Act (NEPA) of 1969 provides for consideration of environmental impacts of federal projects and for public involvement in decision-making through the Environmental Assessment and Environmental Impact Statement. Section 101(b)(4) declares that one objective of the environmental policy is to Apreserve important historic, cultural, and natural aspects of our national heritage . . . @

NHPA Section 106 studies are coordinated with the NEPA process. Identification and evaluation of historic properties and determining effects on them takes place as NEPA documents are developed. The Draft EIS can be used as the basis for consultation to resolve adverse effects. The results of consultation and the terms of any programmatic agreement (PA), which constitutes the Advisory Council comment, can then be included in the Final EIS.

The American Indian Religious Freedom Act of 1978 protects the rights of Native American people to believe, express, and exercise their traditional religions. The Act allows access to sites, use and possession of sacred objects, and freedom of worship through traditional ceremonies and practices. It also requires review (in consultation with Native American leaders) of federal agency policies and programs to determine changes necessary to protect and preserve religious and cultural practices of Native Americans.

The Native American Graves Protection and Repatriation Act of 1990 establishes the rights of Native American groups to human remains of Native American ancestry and certain

associated cultural objects recovered from federal or Indian lands. The Act also establishes procedures and consultation requirements for intentional excavation or accidental discovery of Native American remains on federal or tribal lands.

Table 3.11-1. Indian Groups Contacted by OPL or the USFS

Tribal Organization	Contact	
_	OPL	USFS
Confederated Tribes of the Warm Springs Indian Reservation	X	
Confederated Tribes of the Umatilla Indian Reservation	X	
Confederated Tribes of the Colville Reservation	X	
Confederated Tribes and Bands of the Yakama Indian Reservation	X	
Duwamish Tribe	X	
Lummi Indian Business Council		X
Muckleshoot Tribe	X	
Nez Perce Tribe	X	
Nooksack Indian Tribal Council		X
Puyallup Tribal Council		X
Samish Tribe		X
Sauk-Suiattle Tribal Council		X
Snoqualmie Tribe	X	
Stillaguamish Board of Directors		X
Suquamish Tribe	X	
Swinomish Indian Tribal Council		X
Tulalip Tribes	X	
Upper Skagit Tribal Council		X
Wanapum Tribe	X	

Executive Order 13007 -- Indian Sacred Sites (May 24, 1996) directs executive branch agencies to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and to avoid adversely affecting the physical integrity of such sacred sites on federal lands. The agencies are further directed to ensure reasonable notice is provided of proposed land actions or policies that may restrict future access to or ceremonial use of, or adversely affect the physical integrity of, sacred sites.

The USFS as lead federal agency has directed OPL to carry out a three-part plan to gather information necessary for compliance with Section 106 of the NHPA and other applicable laws, regulations and orders. Phase I is the completion of field surveys to identify historic properties that may be affected by the undertaking. Phase II is the gathering of sufficient information to evaluate the eligibility of properties found for the National Register, and Phase III is development of a draft PA stipulating the means by which the agency(s) will fulfill Section 106 responsibilities. A PA is appropriate for projects when the effects on historic properties cannot be fully determined prior to approval. The PA will address such issues as monitoring during construction, treatment of newly discovered properties, and a plan to be applied if leakage, fire, or other emergencies, or control or cleanup procedures occur.

The PA may also include additional stipulations to satisfy state legislation and concerns of state agencies. The State Historic Preservation Office (SHPO) will represent the state=s interests, while the USFS will represent the interests of all other federal agencies whose lands are affected by the project in the development and implementation of the PA.

## 3.11.1.2 Regional Setting and Use by American Indian Groups

The pipeline would traverse three distinct physiographic areas: the Puget Lowlands, the Cascade Mountains, and the Columbia Basin. Each of these areas has characteristic physiography, climate, and soils that supported plant, animal, and other resources that were available to prehistoric and historic inhabitants. Land use -- how and where people lived, both historically and prehistorically -- has been determined by distribution of these resources. The region has been inhabited for at least the last 11,000 years by people who practiced varying degrees of sedentism and settlement specialization as the post-glacial climate and environment of the Holocene changed.

By the time Euroamericans arrived, groups with distinctly different languages occupied each side of the Cascades. Coast Salish speakers were on the west side with Snohomish, Suquamish, Skykomish, and Snoqualmie groups occupying territory in or near the proposed ROW. Snoqualmie territory was inland of Puget Sound, extending from the Tolt River up the Snoqualmie River Valley to Snoqualmie Pass (Baenen 1981; Indian Claims Commission 1974). The Lower Snoqualmie had their main village at the mouth of the Tolt River below Snoqualmie Falls. The Upper Snoqualmie lived in villages in the prairies around present-day Snoqualmie and North Bend.

East of the Cascade Crest, both Interior Salish-speaking Wenatchee and Sahaptin-speaking Upper Yakama or Kittitas bands were historically reported in the upper Yakima River Valley. Farther east, the linguistic differences continued, with the Interior Salish-speaking Sinkiuses and the Sahaptin-speaking Wanapum occupying the land along the Columbia River. Sinkiuse territory extended north from the vicinity of Crab Creek, while Wanapum territory extended south to the Pasco vicinity.

The Medicine Creek Treaty of 1854 and the Point Elliott Treaty of 1855, negotiated in western Washington, established the Tulalip, Port Madison, Puyallup, and Nisqually Reservations for Puget Basin Tribes. The Muckleshoot Reservation was established by executive order in 1857. On the east side of the Cascades, the Yakima Treaty was signed in 1855, creating a reservation for 14 tribes. Executive orders later established additional reservations (e.g., that of the Colville

Confederated Tribes), or changed the boundaries of existing reservations. However, some groups, like the Wanapum and Duwamish, never moved to the reservations and others left reservations to return to their traditional territories.

#### 3.11.1.3 Euroamerican Settlement

Euroamerican settlement of the Seattle and Issaquah area began in the late 1840s. By 1853, Donation Land Claims had been filed in Seattle and in the Squak Valley (present-day Issaquah). The Puget Sound Indian Wars of 1855-56, which started in the White River Valley and extended north to Seattle, temporarily interrupted white settlement of Duwamish lands. Land clearing for agriculture in the interior Puget Basin proceeded slowly. In the 1870s farmers began to work land wherever it was flat enough to be cultivated. By the 1880s, hops was the boom crop in the Snoqualmie Valley.

East of the Cascades, the first permanent settlers arrived in the Kittitas Valley seeking grazing land for livestock. Ranchers moved into the Kittitas and Yakima Valleys from Oregon in the 1860s. They raised cattle for the Colville, Cariboo, and Idaho mines and drove stock over Snoqualmie Pass to Puget Sound markets (Meinig 1968). Ranchers were instrumental in building the eastern segment of the Snoqualmie Pass Wagon Road, which was completed in 1867. This route became the primary means of moving stock to Puget Sound before the railroad was completed. Markets for livestock were also found in mining and logging camps adjacent to the pipeline corridor (Prater 1981).

Markets for livestock were also found in mining and logging camps adjacent to the pipeline corridor (Prater 1981). Hard-rock mining for metals was of little consequence in the region. However, coal mines, which developed near Issaquah, Roslyn, and Cle Elum, were much more profitable. These mines began in the 1870s and some continued working into the 1960s.

In 1887, the Northern Pacific completed its transcontinental railroad to Tacoma, crossing the Cascades over Stampede Pass rather than Snoqualmie Pass. The Chicago, Milwaukee, and St. Paul Railroad (later the Chicago, Milwaukee, St. Paul and Pacific, known as the Milwaukee Railroad) constructed a line over Snoqualmie Pass in 1909, which completed a link between Seattle and the Midwest via Ellensburg. This route gave the Milwaukee Railroad access to the expanding trade in timber and grain from the Northwest to markets in the Midwest.

The railroads made the removal of large quantities of timber possible, as cutting areas were connected to the main line by railroad spurs. The Northern Pacific was awarded alternating sections adjacent to its line by the federal government as payment for construction of the railroad. These and other timberlands in the Cascades fed the mills. Mills were built in most towns by 1890, including Seattle, Renton, Issaquah, and North Bend, and large logging camps were established at several places east of North Bend, including Garcia, Denny Creek, Snoqualmie Pass, and Keechelus Lake. Lower elevation areas in the vicinity of the pipeline corridor were mostly logged by the mid-1920s, while logging at higher elevations occurred somewhat later, in the 1930s to 1950s (Hollenbeck 1987; West Coast Lumberman 1944).

The railroads also spurred the development of agriculture on marginal lands. Private investors tried to construct irrigation systems, but by the early twentieth century, promoters had

recognized the importance of government involvement in irrigation projects. The U.S. Reclamation Service took over 55 canal systems between Cle Elum and the mouth of the Yakima River in 1906, forming the Yakima Project (Coulter 1951:115). Reservoirs were created at Lakes Keechelus, Kachess, and Cle Elum between 1911 and 1933 to supply irrigation systems in the Kittitas and Yakima Valleys. East of the Columbia River, similar development awaited the Columbia Basin Project which used water diverted by Grand Coulee Dam to irrigate farmlands and orchards in Franklin, Grant, and Adams Counties.

In the latter half of the twentieth century, increasing use was made of barges on the Columbia River and trucking on interstate highways to move produce and freight. The Milwaukee Railroad abandoned its lines in Washington in 1980, and the State of Washington acquired the ROW from Easton to the Washington-Idaho line. The state used the grade to establish the John Wayne Trail/Iron Horse State Park.

## 3.11.1.4 Historical Resources along the Pipeline Corridor

Field investigations were conducted along a 61 m (200-foot) wide corridor, centered on the centerline of the proposed pipeline. Approximately 97 percent or 362 km (224.8 miles) of the 372 km (231-mile) corridor has been surveyed. Table 3.11-2 presents the results of this survey and the relationships of the identified locations to the centerline. Mapped locations are included in Appendix E of the cultural resources assessment report prepared for this proposal (Heritage Research Associates and Dames & Moore 1997). These locations and reports of each site are confidential under Section 304 of the NHPA to prevent vandalism. The USFS will review the data as they are provided by OPL and determine if they are adequate to evaluate resources on federal land. Following Section 106 procedures, the agency, in consultation with the SHPO, will evaluate each resource for significance using criteria established by the NHPA.

Twelve prehistoric sites, 24 historic-period sites, two dual component (prehistoric and historic period) sites, 51 prehistoric isolates, and 137 historic-period isolates have been identified. Of the 12 prehistoric sites, none has been listed or determined eligible for the National Register (Table 3.11-2). Of the 24 historic-period sites, one has been listed on the National Register.

Nearly all of the prehistoric isolates consist of one or a few artifacts, primarily flakes or chunks of cryptocrystalline silicas or petrified wood (n=34); others were projectile points, bifaces, modified flakes, and four cairns. Most of the historic isolates are irrigation ditches or features (n=128) in the Kittitas Valley and east of Vantage. Other historic isolates included building materials, machinery parts, cans, bottles, rock piles from field clearing, telephone insulators, wire-wound wood pipe, discarded appliances, and road and railroad beds (Table 3.11-3).

Table 3.11-2. Sites Identified Within the 200 ft Survey Corridor

	Other		Distance from		NRHP
Atlas <sup>1</sup>	No. <sup>2</sup>	Description	Centerline	Owner	Status
14-1		Memorial bench monument concrete bench with steps	10-15 meters	Private	Undetermined
CMSt.P& P RR		Chicago Milwaukee, St. Paul, and Pacific Railroadincludes the grade and 42 isolated artifacts or features including: culverts (2), road (1), boxcar (1), timbers, ties & spikes (6), inactive power line segments (4), bridges/trestle (5), footings, pilings & foundations (15), track sections (3), signal poles (2), tunnel (1), grade (1), insulator pegs (1)	Various	State Parks & Rec. Comm.; MBSNF	Undetermined
21-2	CR05-05-61	Minot Spur debris scatter	0-7 meters	MBSNF	Undetermined
	45KI158	Harris Creek railroad trestle	15 meters	MBSNF	No
21-6, 29-5, 30-7, 30-8		Four segments of the Snoqualmie Wagon Road	0-152 meters	MBSNF/Private	Undetermined
23-1	45KI442	Historic period refuse scatter	0-35 meters	MBSNF	Undetermined
24-1	CR05-05-51	Chicago Milwaukee St. Paul and Pacific Railroad Tunnel	0 meters	MBSNF/ Private	Undetermined
25-6		Milwaukee Railroad laborer housing	76.2 meters	Private	Undetermined
28-10		Railroad siding and artifact scatter (Whittier Site)	10-40 meters	WNF	Undetermined
36-1		Foundation	10-20 meters	Private	Undetermined
41-2	45KT1086	Dump	15-30 meters	Private	Undetermined
52-5		Railroad depot complex	0-50 meters	City of Kittitas	Listed
52-6		Foundation and debris piles	20-40 meters	Private/ City of Kittitas	Undetermined
52-7		Foundation	15-40 meters	Private/ City of Kittitas	Undetermined
52-8		Foundation	0-3 meters	Private/ City of Kittitas	Undetermined
52-9		Foundation and debris scatter	15-25 meters	Private	Undetermined
53-2		Foundations and refuse scatter	10-30 meters	Private	Undetermined
53-4		Agricultural complex	0-50 meters	Private	Undetermined
54-2		Electricity and telephone line insulators	10-15 meters	Private	Undetermined
54-3		Electricity and telephone line insulators	10-15 meters	Private	Undetermined
55-4		Agricultural complex (Steiner Property)	10-50 meters	U.S. Army	Undetermined
62-1	45KT1083	Lithic scatter	0-15 meters west 0-30 meters east	U.S. Army	Undetermined
62-10		Lithic scatter	0-20 meters north 0-100 meters south	U.S. Army	Undetermined
62-11	45KT1084	Lithic scatter	15-30 meters	U.S. Army	Undetermined
64-2		Railroad camp	0-20 meters south 0-50 meters north	BLM	Undetermined
64-3	45GR672	Rock piles, historic debris, and lithic scatter	0-120 meters	BOR	Undetermined
68-3		Homestead	0-76 meters	BOR	Undetermined

Table 3.11-2. Sites Identified Within the 200 ft Survey Corridor

Atlas <sup>1</sup>	Other No. <sup>2</sup>	Description	Distance from Centerline	Owner	NRHP Status
82-1	45AD106	Dump	0-10 meters south 0-100 meters north	BOR	Undetermined
88-1	45FR403	Dump	0-40 meters	BOR	Undetermined
IN3-2		Developed spring and lithic scatter	0-75 meters north 0-75 meters south	Ginkgo State Park	Undetermined
IN11-4		Lithic scatter	0-10 meters	Ginkgo State Park	Undetermined
IN12-1		Lithic scatter	0-80 meters north 0-100 meters south	Ginkgo State Park	Undetermined
IN12-4		Lithic scatter	0-50 meters north 0-100 meters south	Ginkgo State Park	Undetermined
IN12-10		Lithic scatter	0-20 meters	Ginkgo State Park	Undetermined
IN12-13		Lithic scatter	0-20 meters	Ginkgo State Park	Undetermined
IN12-14		Lithic scatter	0-50 meters north 0-50 meters south	Ginkgo State Park	Undetermined
IN12-15		Lithic scatter	0-30 meters north 0-120 meters south	Ginkgo State Park	Undetermined
IN36-1		Lithic scatter	0-3 meters east 0-3 meters west	Ginkgo State Park	Undetermined

<sup>&</sup>lt;sup>1</sup>The AAtlas@number refers to the Cultural Resources Assessment Report Appendix E page number with pages and sites numbered from west to east along the survey corridor.

<sup>2</sup>Other site numbers are state Smithsonian designations (e.g., 45KI132) or U.S. Forest Service designations (e.g., CR05-05-61).

Table 3.11-3. Isolates Identified Within the 200 ft Survey Corridor

No. of solates	Resource Description	No. of Isolates	Resource Description
1	Aligned railroad ties	1	Telephone line insulator
1	Amethyst glass bottle base, rectangular	1	Tin can scatter (recent)
1	Amethyst glass bottle fragments	2	Tobacco tin
1	Brick and cobble pile	1	Trailer and dozer blades
1	Brown glazed stoneware fragment	1	White transfer-print earthenware fragment
1	Cairn and CCS flake	1	Whiteware and glass fragments
3	Cairn	1	Whiteware ceramic fragment, embossed
1	Cairn (recent)	2	Wire-wrapped wood pipe
1	Can	1	Wood timber/pole
1	Concrete pier	1	Wood timbers
1	Concrete well	1	Wood foundation
1	Cut sandstone block	1	Wooden power pole
1	Fragmented 1920s truck parts		
3	Granite cobbles		
1	Grooved fence weight		
1	Historic farming plow/rake		
1	Historic farming equipment		
1	Hole-in-top can		
1	Irrigation ditch gate		
1	Irrigation diversion box		
79	Irrigation ditch		
1	Large wooden timber		
1	Large rusted metal cylinder		
45	Lithic isolates		
1	Mounded earth and timbers		
1	Possible bridge remains		
1	Railroad grade		
1	Refrigerator		
4	Roadway		
11	Rock pile(s)		
1	Rock piles aligned N-S (old fence line)		
1	Spring box, concrete		
1	Stacked wood timbers		
	Stripped cedar tree (possibly recent)		

Source: Heritage Research Associates and Dames & Moore 1997.

#### 3.11.1.5 Indian Tribal Consultation

OPL initiated consultation with both federally and non-federally recognized tribal organizations to discuss traditional cultural properties and other concerns (Table 3.11-1). The purpose of the consultation is to request information and provide opportunities for the tribes to state their concerns about cultural resources and environmental topics. In addition to interest in historical and traditional cultural properties, tribes may have concerns about burials, certain minerals, and native plants and animals and their habitats. Most of the tribes listed in Table 3.11-1 had aboriginal territories that included the proposed pipeline corridor. Two of the groups, the Warm Springs and Nez Perce, were included in the consultation because of treaty rights for fishing in the Columbia River system. A number of tribal organizations have responded to letters regarding the project proposal, and consultation continues.

#### 3.11.2 Environmental Consequences

### 3.11.2.1 Proposed Petroleum Product Pipeline

**Construction Impacts.** Construction of the pipeline within an 18 m (60-foot) corridor has the potential to disturb or destroy historic properties that are located at the ground surface and to a depth of at least 1.8 m (6 feet). Other disruption to surface material may result from use of the corridor to stockpile excavated material and fabricate pipeline segments, equipment maneuvering, and construction vehicle traffic. Boring and horizontal directional drilling will be employed at road crossings, canals, and larger streams and rivers. This method would require the excavation of drill pits larger than the pipeline trench but within the 18 m (60-foot) corridor. OPL may be able to adjust the construction alignment to avoid all or most sites within the 61 m (200-foot) wide corridor that was surveyed for heritage resources. Once identification of resources is complete, OPL will identify which properties will likely be impacted and consult with the USFS to finalize a scope of work for testing and evaluation of properties should avoidance not be an option.

Until consultation with the Indian tribes is concluded, effects on traditional cultural properties or other resources that might be of concern cannot be determined. This consultation will continue and is not expected to be completed until after the Draft EIS is issued.

**Columbia River Approach Options.** One area where avoidance may prove difficult is the proposed Ginkgo State Park route, where surveyors encountered prehistoric sites that cover large areas. Survey of the YTC corridor segment options has not been completed.

**Columbia River Crossing Options.** Each of the options has a different alignment required to reach the actual crossing. Based on current information, crossing the I-90 Bridge would have the least impact to known cultural resources and the least potential for new discovery of heritage resources during construction. Two historic sites, isolated railroad ties, and three prehistoric isolates were found on the approaches to the boring site. The approaches to the remaining three options have not been completely examined.

**Operational Impacts.** OPL would operate the pipeline within a 9 m (30-foot) wide permanent easement located within the 18 m (60-foot) construction corridor. Normal operation of the pipeline and its ancillary facilities would not affect known significant resources. Leakage, fire, or other emergencies and control or cleanup procedures could affect cultural resources. The criteria of effect in 36 CFR 800.9 would be applied to historic and traditional cultural properties in consultation with the Office of Archaeology and Historic Preservation (OAHP) following protocols established in the PA for an emergency management plan.

**Cumulative Impacts.** The pipeline would be sited to avoid impacts to significant cultural and historical resources as much as possible. Studies are ongoing to identify and evaluate properties. If any historic properties are affected by the pipeline, then the pipeline would contribute to the cumulative loss or alteration of historic properties significant to the Nation=s heritage.

#### 3.11.2.2 No Action

No cultural resources would be affected by the No Action Alternative from construction or normal operation. However, the increased barge and truck traffic increases the probability of accidental damage from spills to identified and as yet undiscovered sites along the Columbia River below Pasco and along the I-90 corridor.

## 3.11.3 Additional Proposed Mitigation Measures

Phase II results will include recommendations for treatment for historic properties as needed with property and location-specific mitigation plans. If the properties are of value only for their research potential, and the SHPO approves data recovery as mitigation, then a determination of no adverse effect can be achieved. Mitigation measures for traditional cultural properties, or properties judged significant for reasons other than research potential, may require mitigation measures other than data recovery.

A plan specifying treatment of human remains discovered during construction or operation that fulfills the requirements of the Native American Graves Protection and Repatriation Act must also be developed.

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# LIST OF ACRONYMS

National Historic Preservation Act (NHPA)	3-204
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